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DIVORCE—DEFENSE—CONNIVANCE.—Complainant, who sought a ground for divorce against his wife, employed persons to procure evidence of his wife's infidelity, and such persons set about to procure the defilement of the wife, and by the intervention of such persons the wife was purposely induced to commit adultery. *Held*, the husband has no remedy, though it is proved that he had not given any distinct orders to such persons to so act. *Rademacher v. Rademacher* (1908), — N. J. Eq. —, 70 Atl. 687.

The decision in the principal case is based on the ground that the petitioner cannot obtain redress for an act brought about by his own agent; the court observing that the outrageous performance, though not authorized by the complainant, was conducted in his interest. The trend of the decisions is in accord with the principal case, although few in number can be found upon the precise point. *Dennis v. Dennis*, 68 Conn. 186, 36 Atl. 34; *Cane v. Cane*, 39 N. J. Eq. 148; *Gower v. Gower et al.*, L. R. 2 P. & D. 428; *Bell v. Bell*, 58 L. J. P. D. & A. 54; *Picken v. Picken*, 34 L. J. P. M. & A. 22. The English doctrine as laid down in *Gower v. Gower* (supra) appears to be that the effect will not be different, though the agent proceeded self moved without authority in fact from the principal, in analogy to the rule in contracts that one who takes an advantage from an agent's unauthorized fraud is answerable for the fraud. The case of *Gower v. Gower*, supra, has been criticised in BISHOP ON MARRIAGE, DIVORCE, and SEPARATION, Vol. 2, § 116. The author takes the view that the petitioner should not be denied the privilege of availing himself of the respondent's adulterous act where the agent, without the knowledge and without the authority in fact from the principal, lays temptations for her. A somewhat recent case holds that the petitioner should not be denied a divorce on clear proof of adultery by defendant, because defendant went with the petitioner's detective to a house of prostitution; defendant testifying that he deliberately committed the adultery and there being nothing to justify the finding that plaintiff employed the detective to aid or connive at the commission thereof, or that she had any knowledge that he did so, or that she or her attorney was in any way responsible for his acts. *Tuck v. Tuck*, 117 App. Div. 421, 102 N. Y. Supp. 688. A husband was denied redress in an action for divorce where the court found that he had employed several persons to work up a case against his wife, where no restrictions were put upon the agents as to the means they should employ for this purpose. *Yocum v. Yocum*, 3 Pa. Dist. 615.

ELECTIONS—PRIMARY ELECTIONS—CANVASSING OF VOTES.—A law of Michigan (Laws Ex. Sess. 1907, p. 10) provides: "Any candidate voted for at any primary election * * * who conceives himself aggrieved on account of fraud or error by the board of primary election inspectors in the count of the votes cast or the returns made by said board may" * * * ask for a recount of the votes, and the board of canvassers "shall * * * open the ballot boxes * * * and make a recount thereof * * * and make a correct and complete return in writing showing the full number of votes cast and the names of the candidates and the number of votes given